

SENATE BILL 66

D3

11r0069

By: **Chair, Judicial Proceedings Committee (By Request – Departmental – Public Safety and Correctional Services)**

Introduced and read first time: January 18, 2011

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Criminal Procedure – Criminal Justice Information System Central**
3 **Repository – Reportable Events**

4 FOR the purpose of repealing the requirement that the release of a person after arrest
5 without the filing of a charge must be reported to the Criminal Justice
6 Information System Central Repository; and generally relating to the Criminal
7 Justice Information System Central Repository.

8 BY repealing and reenacting, with amendments,
9 Article – Criminal Procedure
10 Section 10–215(a)
11 Annotated Code of Maryland
12 (2008 Replacement Volume and 2010 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

15 **Article – Criminal Procedure**

16 10–215.

17 (a) The following events are reportable events under this subtitle that must
18 be reported to the Central Repository in accordance with § 10–214 of this subtitle:

19 (1) the issuance or withdrawal of an arrest warrant;

20 (2) an arrest;

21 [(3) the release of a person after arrest without the filing of a charge;]

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



- 1 **[(4)] (3)** the filing of a charging document;
- 2 **[(5)] (4)** a release pending trial or an appeal;
- 3 **[(6)] (5)** a commitment to an institution of pretrial detention;
- 4 **[(7)] (6)** the dismissal of an indictment or criminal information;
- 5 **[(8)] (7)** a nolle prosequi;
- 6 **[(9)] (8)** the marking of a charge “stet” on the docket;
- 7 **[(10)] (9)** an acquittal, conviction, verdict of not criminally
8 responsible, or any other disposition of a case at or following trial, including a finding
9 of probation before judgment;
- 10 **[(11)] (10)** the imposition of a sentence;
- 11 **[(12)] (11)** a commitment to a State correctional facility or local
12 correctional facility;
- 13 **[(13)] (12)** a commitment to the Department of Health and Mental
14 Hygiene under § 3–105 or § 3–111 of this article as incompetent to stand trial or not
15 criminally responsible;
- 16 **[(14)] (13)** a release from detention or confinement;
- 17 **[(15)] (14)** a conditional release, revocation of conditional release, or
18 discharge of a person committed to the Department of Health and Mental Hygiene
19 under § 3–105 or § 3–111 of this article as incompetent to stand trial or not criminally
20 responsible;
- 21 **[(16)] (15)** an escape from confinement or commitment;
- 22 **[(17)] (16)** a pardon, reprieve, commutation of a sentence, or other
23 change in a sentence, including a change in a sentence that a court orders;
- 24 **[(18)] (17)** an entry of an appeal to an appellate court;
- 25 **[(19)] (18)** a judgment of an appellate court;
- 26 **[(20)] (19)** an order of a court in a collateral proceeding that affects a
27 person’s conviction, sentence, or confinement;
- 28 **[(21)] (20)** an adjudication of a child as delinquent;

1 (i) if the child is at least 14 years old, for an act described in §
2 3–8A–03(d)(1) of the Courts Article; or

3 (ii) if the child is at least 16 years old, for an act described in §
4 3–8A–03(d)(4) or (5) of the Courts Article;

5 ~~[(22)]~~ **(21)** the issuance or withdrawal of a writ of attachment by a
6 juvenile court;

7 ~~[(23)]~~ **(22)** the initial registration of a person under Title 11, Subtitle 7
8 of this article;

9 ~~[(24)]~~ **(23)** the imposition of lifetime sexual offender supervision under
10 Title 11, Subtitle 7 of this article; and

11 ~~[(25)]~~ **(24)** any other event arising out of or occurring during the course
12 of a criminal proceeding that the Secretary by regulation or the Court of Appeals by
13 rule makes a reportable event.

14 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
15 October 1, 2011.